

Cranford, Pope, Weisiger,

Senator Harrison announced that he was paired with Senator Crane, he voted "no" and Senator Crane would vote "aye."

Senator Page offered the following amendment to the substitute of Senator Johnson:

Amend by striking out line 28, page 3 of printed bill and insert the following:

"For a history of the United States — cents. Said history in its treatment of the late war between the States, and the questions leading thereto, or arising therefrom, to be just and fair to the South."

Which was accepted by Senator Johnson and was adopted.

Senator Johnson made the following report:

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Internal Improvements, to whom was referred Senate bill No. 207, being an "Act to amend article 4238 of Revised Statutes of the State of Texas as amended by an act approved April 8, 1889,

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

JOHNSON, Chairman.

Bill read first time.

Senator Johnson made the following report:

COMMITTEE ROOM,

Austin, February 12, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Internal Improvements, to whom was referred

Senate bill No. 52, being "An act to provide for the regulation of commerce and creating a railroad commission and defining the duties of such commissioner in relation to common carriers."

And also Senate bill No. 54, "An act to correct abuses and prevent unjust discrimination and extortion in the rates of freight on the different railroads of this State, to prevent pooling and unlawful combinations, to establish reasonable maximum charges for the transportation of freight, to prohibit railroads from charging other than just and reasonable rates, to require railroad companies to provide and maintain adequate depot buildings and accommodations, and to keep up the roadbed and track, and to

provide adequate penalties for the enforcement of the same, to prescribe a mode of procedure and rules of evidence in relation thereto, and to create a board of railway commissioners and to prescribe their powers and duties."

Have had the same under consideration, and instruct me to report the following substitute for said bills, and to recommend that said substitute do pass.

JOHNSON, Chairman.

Bills and substitute read first time.

On motion of Senator Pope, Senate adjourned to Monday morning at 10 o'clock.

TWENTY-NINTH DAY.

SENATE CHAMBER,

TWENTY-SECOND LEGISLATURE,

Austin, Tex., Feb. 16, 1891.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—26.

Atlee,	Glasscock,	Page,
Carter,	Harrison,	Potter,
Clark,	Ingram,	Seale,
Clemens,	Johnson,	Simkins,
Crane,	Kearby,	Sims,
Cranford,	Kimbrough,	Stephens,
Finch,	Lubbock,	Townsend,
Frank,	Maetoe,	Tyler,
Garwood,	McKinney,	Weisiger,
		Whatley.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal, on motion of Senator Harrison the further reading of the same was dispensed with.

Senator Frank offered the following report:

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee, to whom was referred Senate Bill No. 175, being "An act to purchase convict farms and improve and stock the same and to work convicts thereon and to make an appropriation therefor," being recommitted for further action by this committee, have had the same under careful consideration, and I am instructed to report the same back to the Senate with the following amendments:

Strike out section after the preamble and substitute the following:

Section 1. Be it enacted by the Legislature of the State of Texas:

That the penitentiary board of this State, together with the board of education, are hereby authorized, empowered and directed as soon as practicable after the passage of this act to purchase upon approval by the Governor in trust for the permanent school fund of this State, and in the name of the State of Texas, for said permanent school fund, and for the purpose of giving constant and profitable employment to state convicts who cannot be profitably employed within the walls of the penitentiary, as soon as practicable, so much land as can be profitably used. Said land to be well adapted to agricultural purposes and best adapted to the constant and profitable employment of convict labor. Said land may be purchased in one or more tracts and may be partly improved and partly unimproved as may seem to said boards to be in the best interest to the State in the utilization of said convict labor."

Strike out section 4 and substitute the following section:

"Section 4. There is hereby appropriated the sum of one million dollars, or so much thereof as may be necessary, out of the permanent school fund of the State, for the purchase of said farm or farms and for the purpose of stocking said farms and making improvements thereon, and the support of the convict force employed in the improvement and cultivation of the same."

The State of Texas through said penitentiary board shall pay to the board of education annually on the first day of April, interest at the rate of six per cent per annum on the amount so invested, for the benefit of the available school fund, and any time after six years from the date of said investment or as may be provided hereafter by law, said penitentiary board acting for the State, shall, upon the demand of the Board of Education, pay to the State treasury the principal so invested. Said Penitentiary board shall after said farm or farms purchased under this act, in connection with the entire penitentiary system, become self sustaining, pay the net proceeds of the farm or farms purchased under this act into the State treasury for the benefit of the available school fund, until otherwise provided by law."

And thus amended respectfully recommend that the bill do pass.

FRANK, Chairman.

Senator Carter made the following privileged reports:

COMMITTEE ROOM,

Austin, February 16, 1891.

Hon. Geo C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 23, being "An act to amend article 2224, chapter 2, title 38, Revised Civil Statutes of the State of Texas, relating to the depositions of witnesses,"

And find the same correctly engrossed.

A. M. CARTER, Chairman.

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 118, being "An act to amend article 1577a, title 31, chapter 1, Revised Civil Statutes of Texas,"

And find the same correctly engrossed.

A. M. CARTER, Chairman.

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate Bill No. 217 being "An act to create the county of Foard out of parts of Hardeman, King, Cottle and Knox counties, and to provide for its organization,"

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No 235, being "An act to apportion between the Agricultural and Mechanical college and the Prairie View State Normal school the fund due Texas under an act of the Fifty-first Congress of the United States, for the more complete endowment and maintenance of colleges established under an act of Congress,

approved July 2, 1862, and to designate a person to whom payments of said money shall be made."

And find the same correctly engrossed.

A. M. CARTER, Chairman.

Senator Carter offered the following privileged report:

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate Bill No. 261, being "An act to amend article 704, Revised Civil Statutes of Texas, so as to authorize the holding of the terms of the District, County and County Commissioners courts at other than the court house when repairing, etc., of the court house is being done,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, lines 9 and 10 so as to read "at the county site."

POPE Chairman.

Senator Carter offered the following report:

COMMITTEE ROOM.

Austin, February 14, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred Senate bill No. 260, being "An act to be entitled an act to compel corporations transacting business in this State to make an annual report to the Commissioner of Agriculture, Insurance, Statistics and History, and prohibiting any person from representing corporations refusing so to do, and providing penalties for the enforcement of the same," have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

Senator Carter offered the following report:

COMMITTEE ROOM,

AUSTIN, February 14, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 254, being an act to be entitled "An act to amend section 6 of chapter 59 of the acts of 1889, entitled 'An act to amend sections 2 and 6 of chapter 131 of an act to pro-

vide for the appointment of receivers and to define their powers and duties, and to regulate proceedings under such appointment of receivers as passed by the Twentieth Legislature and approved April 2, 1887,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

Senator Carter offered the following report:

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 256, being "An act to amend article 1263 of the revised civil statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

Senator Carter offered the following report:

POPE, Chairman.

COMMITTEE ROOM,

Austin, February 14, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 250, being "An act to amend article 1126, chapter 3, of the revised civil statutes of the State of Texas, so as to authorize the judges of the district courts to appoint masters in chancery in the several counties in their respective districts,"

Have had the same under consideration, and instruct me to report the same back to the House with the recommendation that it do not pass.

POPE, Chairman.

The following minority reports were handed in to-day:

COMMITTEE ROOM,

Austin, February 6, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—We the undersigned members of your Judiciary committee No. 2, do respectfully disagree with the majority report on Senate bill No. 185, in which they recommend that said bill do pass.

We your minority respectfully protest against the action of the majority and recommend that said report of the majority be not adopted and that said bill do not pass.

KEARBY,
CRANFORD.

COMMITTEE ROOM,
Austin, February 6, 1891.

Hon. Geo. C. Pendleton, President of
the Senate:

Sir—We the undersigned members of
your Judiciary committee No. 2 do re-
spectfully disagree with the majority
report on Senate bill No. 198 in which
they recommend that said bill do not
pass.

We your minority respectfully pro-
test against the action of the majority
and recommend that said majority re-
port be not adopted and that said bill
do pass.

KEARBY,
CRANFORD.

BILLS AND RESOLUTIONS.

By Senator Tyler:

A bill to be entitled "An act to
amend article 489, code of criminal
procedure as amended, etc.

Read first time and referred to Ju-
diary committee No 2.

By Senator Stephens:

An act to reorganize the Thirtieth
judicial district and to fix the times
for holding court therein.

Read first time and referred Com-
mittee on Judicial Districts.

By Senator Glasscock:

A bill to be entitled "An act to pro-
hibit railroads from attaching any
condition to passenger tickets and to
compel them to transport the owner,
holder or assignee of any passenger
ticket over their lines, and to
grant a lay-over ticket to such
passenger between stations, and pro-
viding a penalty for violation of this
act.

Read first time and referred to com-
mittee on Internal Improvements.

By Senator Stephens:

An act to amend article 678 of the
penal code of the State of Texas to
punish persons unlawfully interfering
with railroad air brakes or bell ropes
in such manner as to endanger the
life of any person.

Read first time and referred to Ju-
diary committee No. 2.

By Senator Potter:

Resolution of the Board of Trade of
Gainesville, urging the passage of a
law against ticket scalpers.

Read the first time and referred to
committee on Finance.

By Senator Frank:

A bill to be entitled "An act to pro-
tect buffalo, deer and antelope in this
State from wanton destruction."

Read first time and referred to Ju-
diary committee No. 1.

By Senator Lubbock (by request)

A bill to be entitled "An act to
create boards of medical censors and
to regulate the practice of medicine
in the State of Texas, and to repeal
articles 3625, 3626, 3627, 3628, 3629, 3630,
3631, 3632, 3633, 3634, 3635, 3636, 3637,
and 3638 of the revised civil statutes of
the State of Texas."

Read first time and referred to com-
mittee on Public Health.

Senator Page offered the following
concurrent resolution:

Be it resolved by the Senate, the
House of Representatives concurring,
that the State board of printing be
and they are hereby directed to make
no contract for any printing or sta-
tionery for use of either branch of the
legislatures hereafter to assemble until
after such bodies shall have assembled
and ascertained by what printing or
stationery house such stationery or
printing may be furnished more
promptly and at the lowest figures;
provided, nothing herein contained
shall be construed to prevent said
board from contracting for the publi-
cation of the daily legislative proceed-
ings or laws enacted by any legisla-
ture.

Adopted.

Senator McKinney called up the
motion of Senator Townsend to recon-
sider the vote by which Senate Bill
No. 88, entitled "An act to make it
penal for any railroad company, trans-
portation company or any kind of com-
mon carriers or for any officer, agent
or employe of same, to grant, issue,
send or deliver any free pass or ticket,
or pass or ticket at a discount other
than as sold to the public generally, or
for any legislative, executive or judicial
officer of this State, or for any district,
county or municipal officer whatsoever
in this State, to accept, use or travel
on such free pass or ticket or such pass
or ticket at a discount, other than as
sold to the public generally, and to
prescribe a punishment therefor was
passed.

Senator Lubbock moved to postpone
action until the railroad commission
bill should be acted upon.

Senator Townsend moved to post-
pone the bill subject to call.

By consent, Senator Sims intro-
duced the following bill:

A bill to be entitled "An act to au-
thorize the governor of the State of
Texas to appoint a bank inspector of
all banks, other than national banks,
and to define his duties and to provide
for the payment of his fees therefor.

Read first time and referred to Judiciary committee No. 1.

The president gave notice of signing and signed in the presence of the Senate

House bill 135, entitled "An act to restore to and confer upon the county court of Nacogdoches county the civil and criminal jurisdiction heretofore belonging to it under the constitution and general laws of this State, and to conform the jurisdiction of the district court of said county to such change.

The chair ruled that a motion to postpone a bill was not in order.

Senator Townsend moved to postpone the motion to take up Senate bill No. 88 until tomorrow.

Lost.

Senator Stephens moved to correct the Journal of Saturday to show that the committee amendment to House bill No. 139 was adopted.

The Journal was ordered so corrected.

Senator McKinney withdrew his motion to call up the motion to reconsider the vote by which Senate bill No. 88 was postponed on account of telegraphic request from Senator Pope asking that it be postponed until tomorrow morning after the morning call.

Senator Carter moved to postpone regular order and read first time Senate bill No. 149, entitled "An act authorizing and requiring the attorney general to institute suit to recover school lands where the purchasers thereof have failed or refused to comply with the laws relating to the payment of the principal or interest on such purchases, fixing the venue thereof, and prescribing the manner of stating the case of the State, the manner of answer, the relief to be granted, or the judgment to be rendered in such cases."

Bill read first time with a favorable committee report and amendment.

Senator Frank moved that the amendment be printed in the Journal of to-morrow.

Adopted.

The amendment is as follows:

Amend section 1 by adding in line 7 after the word "sold" the following:

"Or where such purchasers have failed to settle upon, occupy and improve said lands as provided by law or where from any other cause such purchasers have forfeited said lands to the State by failing to comply with the law regulating the sale thereof."

Amend section 4 by adding in line 8

after the word "shall" the following: "For good cause shown according to the principles of law governing actions of trespass to try title."

Amend section 5 by adding the following:

"Provided, further, The foregoing proviso shall not apply to purchasers who have failed to comply with the law governing their purchases in other respects than non payment of principal or interest."

Senator Tyler moved to postpone pending business and take up Senate Substitute bill for Nos. 108 and 150 entitled "An act to establish two additional normal schools in the State of Texas, to provide for their location, to provide for the acquisition of suitable grounds and buildings for the use of the same and to make an appropriation therefor out of its regular order. The ayes and naves being called for the motion was lost by the following vote:

YEAS—16.

Atlee,	Glasscock,	McKinney,
Clark,	Harrison,	Potter,
Clemens,	Ingam,	Stephens,
Craue,	Kimbrough,	Townsend,
Cranford,	Lubbock,	Tyler,
		Whatley.

NAYS—10.

Carter,	Garwood,	Seale,
Finch,	Maetze,	Simkins,
Frank,	Page,	Sims,
		Weisiger.

Senator Carter made the following privileged report:

COMMITTEE ROOM.

Austin, February 16, 1891.

Hon. Geo. C. Pendleton, President of the Senate.

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 147, being an act to amend article 1054, chapter 2, title 15, of the code of criminal procedure as amended by an act of the Twenty-first Legislature, approved April 4, 1889.

And find the same correctly engrossed.

A. M. CARTER, Chairman.

Senator Simkins explained that Senator Weisiger was marked absent, unexcused, yesterday under the following circumstances: He, Senator Simkins, had agreed to have Senator Weisiger excused on account of important business, but was prevented by his own absence from doing so. Senator Simkins asked to have this explanation printed in the Journal.

On motion of Senator Townsend, Committee Clerk W. F. Linn was ex-

cused until day after tomorrow, on account of sickness in his family.

REGULAR ORDER.

Senate bill No. 2, entitled "An act to empower the State board of education to procure for use in the common schools of the State of Texas a series of text books, defining the duties of certain officers therein named with reference therefor, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of this act, and declaring an emergency."

On second reading.

Section 3 was considered and adopted and amended.

Section 4 read and considered.

Senator Sims offered the following amendment:

Amend by adding at the end of section 4, page 4, line 3, as follows:

"To be paid at the county seat of the respective counties where the books are used."

Adopted.

Section 4 was adopted as amended.

Section 5 read and considered.

Senator Page offered the following amendment:

Amend section 5 by adding the following:

"And it is further provided that the Board of Education shall carefully label and file away all sample copies of the books so furnished as herein before provided and for which a contract shall have been entered into as herein specified which shall be securely kept as a standard of quality and excellence to be maintained in such book during the continuance of said contract."

Adopted.

Section 5 was adopted as amended.

Section 6 was read and considered.

Senator Cranford offered the following amendment:

Amend section 6 by striking out in line 21 on page 4, the word "ninety" and inserting the word thirty."

Adopted.

Senator Potter offered the following substitute:

"Substitute 'sixty' for 'thirty'."

Lost.

The amendment was adopted.

Senator Tyler offered the following amendment:

Amend section 6 by inserting after the word "schools" in line 9, page 5, the following words:

"And local retail dealers in school books throughout the State."

The ayes and noes being called for it was adopted by the following vote:

YEAS—15.

Clark.	Glasscock.	Lubbock.
Clemens.	Harrison.	Maetze.
Crane.	Johnson.	Page.
Cranford.	Kearby.	Tyler.
Frank.	Kimbrough.	Whatley.

NAYS—11.

Atlee.	McKinney.	Sims.
Finch.	Potter.	Stephens.
Garwood.	Seale.	Weisiger.
Ingram.	Simkins.	

Section 6 was adopted as amended.

Senator Simkins moved to reconsider the vote by which section 6 was adopted.

Carried.

Senator Sims offered the following amendment:

Amend by adding after the word "superintendent," in line 19, page 4, (printed bill) as follows: "Or board of education."

Adopted.

(Senator Ingram in the chair.)

Senator Page moved to reconsider the vote by which the amendment of Senator Tyler was adopted.

The motion was lost by the following vote:

YEAS—11.

Finch.	Potter.	Stephens.
Garwood.	Seale.	Townsend.
Ingram.	Simkins.	Weisiger.
Page.	Sims.	

NAYS—14.

Atlee.	Glasscock.	Kimbrough.
Clark.	Lubbock.	Maetze.
Cranford.	Harrison.	McKinney.
Frank.	Johnson.	Tyler.
	Kearby.	Whatley.

Senator Harrison offered the following amendment:

Amend section 6 by striking out all after the word "provided" in line 6, down to and including the word "making" in line 8, and substitute therefor the words "that the State Board of Education shall make."

Senator Page offered the following amendment to the amendment:

Amend amendment by inserting "if practicable."

The following messages were received from His Excellency, the Governor:

EXECUTIVE OFFICE,

Austin, February 16, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of Edwin Hobby and W. E. Collard as Judges of the Commission of Appeals of the State of Texas.

Respectfully,

J. S. Hogg,
Governor of Texas.

EXECUTIVE OFFICE,

Austin, February 16, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of W. C. Holland of Dallas county and L. M. Green of Henderson county as inspectors of penitentiaries of the State of Texas.

Respectfully,

J. S. HOGG,

Governor of Texas.

Senator Stephens offered the following substitute for the amendment:

Strike out all after section 6, after the word "books," in line 6, page 5.

(Senator Glasscock in the chair.)

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

TWENTY-SECOND LEGISLATURE,

Austin, February 16, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed by the House to inform you of the passage of the following bill:

Substitute House bills Nos. 6, 89 and 91, "An act to regulate assignments for the benefit of creditors, to declare what acts shall operate as assignments, and to prescribe rules for administering same."

Respectfully,

GEORGE W. FINGER,

Acting Chief Clerk,

House of Representatives.

Bill read first time and referred to Judiciary committee No. 1.

The following report from the comptroller was ordered spread upon the Journal:

COMPTROLLER'S OFFICE,

Austin, February 3, 1891.

Hon. George C. Pendleton President of the Senate:

Sir—In response to a resolution passed by the Senate asking the Comptroller to furnish amounts appropriated, dates of same, etc., to fence and improve the Capitol grounds, I have the honor to enclose you herewith statements of amounts appropriated for said purposes, and statements of amounts expended, accompanied by vouchers showing the items, etc., for which the expenditures were made.

The fourth subdivision of the said resolution asks the following question, to-wit:

"Whether such work has been let by contract under sealed bids, and how much, if any, is still due on contract for work already done."

This question this department can-

not answer, or give any information upon, for the reason that the contract was let by a board specially created for the purpose, composed of the Governor, Attorney-General and Superintendent of public grounds and buildings. (See page 69, laws of 1889.) That board is doubtless in possession of all the facts desired by your honorable body.

Very Respectfully,

JNO. D. MCCALL,

Comptroller.

Amounts drawn against appropriation of \$3,500 made April 8, 1889, for fencing and improving capitol grounds, etc.

Date	TO WHOM PAID.	No. of Voucher.	No. of Warrant.	Amount.
Mar. 18	Pacific Express Co.	1a	7722	\$41 25
Mar. 24	William Guens	2a	7866	3 00
Mar. 31	T. C. West et al.	3a	8048	119 25
Apr. 2	W. M. Johnson	4a	8312	25 00
Apr. 9	George A. Brush	5a	8766	41 20
Apr. 12	Jack Dalton et al.	6a	8938	241 75
Apr. 23	R. S. Harrison	7a	9237	115 00
Apr. 30	Henry Farley	8a	9539	99 00
May 7	The Thompson Houston Electric Co.	9	9891	*2774 55
May 12	The Thompson Houston Electric Co.	10a	10142	16 58
Sept. 24	R. S. Harrison	11a	868	65 00
Jan. 7	Bergman & Co	12a	4083	159 27
	Total			\$3700 85
	As per note below			200 00
	Total			\$3500 85

*\$200 of warrant No. 9891 is charged to appropriation of \$31,500 made April 8, 1889.

Senator Johnson moved to suspend pending business and appoint Tuesday, after the consideration of Senate Bill No. 121, for the consideration of Senate Substitute Bill for Senate Bills Nos. 52 and 54, known as the Commission Bill, and make it the special order for that time and from day to day until disposed of.

Adopted.

(The President in the chair.)

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

Austin, February 16, 1891,

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed by the House to inform you of the passage of the following bill:

"An act to amend an act approved May 25, 1889, being 'An act to amend an act to re-enact section 28 of an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883,' and to amend section 28 of said act, approved February 26, 1885, and to create the Forty-ninth judicial district, to provide for the appointment and election of a district judge and a district attorney therein, and to repeal all laws and parts of laws in conflict herewith." Respectfully,

GEO. W. FINGER,

Acting Chief Clerk, H. of R.

Read first time and referred to Judiciary Committee No. 1.

On motion of Senator Seale the Senate went into executive session, on appointments by his excellency, the Governor.

(IN SENATE.)

Senator Townsend moved to take up out of its regular order Senate bill No. 217, entitled "An act to create the county of Foard out of parts of Hardeman, King, Cottle and Knox counties, and to provide for its organization and and put it upon its third reading and final passage.

Adopted

Bill read third time and passed by the following vote:

YEAS—26.

Atlee.	Ingram.	Seale.
Clark.	Johnson.	Pinkins.
Clemens.	Kearby.	Sims.
Crane.	Kimbrongh.	Stephens.
Cranford.	Lubbock.	Townsend.
Finch.	Maetze.	Tyler.
Frank.	McKinney.	Weisiger.
Garwood.	Page.	Whatley.
Harrison.	Potter.	

NAYS—NONE.

The chair announced that Senator Lubbock was appointed on the committee to visit the reformatory at Gainesville in accordance with the concurrent resolution adopted to appoint a committee of two from the House and one from the Senate for that purpose.

Senator Potter moved to further suspend pending business and take up out of its regular order Senate Bill No. 10, entitled "An act prohibiting the making of contracts limiting the time to sue thereon to less than that fixed

by law and providing the character of notice of claim before suit and the manner of giving thereof."

Adopted.

Senator Potter moved that the Senate do not concur in the House amendment and appoint a conference committee.

Adopted.

The Chair appointed Senators Potter, Tyler and Townsend as such committee.

Senator Sims moved to postpone pending business and take up out of its regular order Senate Bill No. 23, entitled "An act to amend article 2224, chapter 2, title 38, of the Revised Civil Statutes of the State of Texas, relating to depositions of witnesses," on its third reading.

Adopted.

Bill read third time and passed.

Senator Cranford moved to adjourn to 3 p. m. this day.

Senator Seale moved to adjourn to 10 a. m. to-morrow.

The following appointments by His Excellency, the Governor, were announced as confirmed by the Senate:

Edwin Hobby and W. E. Collard, to be judges of the commission of appeals of the State of Texas.

W. C. Holland of Dallas county, and L. M. Green of Henderson county, to be inspectors of the penitentiaries of the State of Texas.

The ayes and noes being called for on Senator Seale's motion to adjourn to 10 o'clock to-morrow, it was adopted by the following vote:

YEAS—19.

Atlee.	Ingram.	McKinney.
Clemens.	Johnson.	Seale.
Crane.	Kearby.	Simkins.
Finch.	Kimbrongh.	Sims.
Frank.	Lubbock.	Townsend.
Glasscock.	Maelze.	Weisiger.
Harrison.		

NAYS—9.

Carter.	Garwood.	Stephens.
Clark.	Page.	Tyler.
Cranford.	Potter.	Whatley.

THIRTIETH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, Feb. 17, 1891. }

Senate met pursuant to adjournment.

Lientenant Governor Pendleton in the chair.

Roll called.

Quorum present.